

Approved by: \_\_\_\_\_

DAVID PRESLEY

Special Assistant United States Attorney

Before: THE HONORABLE MARTIN R. GOLDBERG  
United States Magistrate Judge  
Southern District of New York

18 MAG 8059

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UNITED STATES OF AMERICA

: MISDEMEANOR  
: COMPLAINT

-v-

: Violation of

JUSTIN R. TIMBERGER

: NYV&TL 511(1)(a)

Defendant

: COUNTY OF OFFENSE:  
: ORANGE  
: -----  
: -X

SOUTHERN DISTRICT OF NEW YORK, ss.:

MATTHEW PROUT, being duly sworn, deposes and says that he is a Court Liaison assigned to the Provost Marshal Office, at the United States Military Academy, West Point, New York, and charges as follows:

COUNT ONE

On or about August 14, 2018, at the United States Military Academy, West Point, New York, within the special maritime and territorial jurisdiction of the United States, in the Southern District of New York, JUSTIN R. TIMBERGER, the defendant, unlawfully, knowingly and willfully operated a motor vehicle upon a public road while knowing, or having reason to know, that his license to operate such motor vehicle in New York was suspended, revoked, or otherwise withdrawn by the commissioner, to wit, the defendant was observed operating his motor vehicle at Stoney Gate and an investigation revealed that the defendant's state driver's license had been suspended.

(New York Vehicle and Traffic Law, Section 511(1)(a))

The basis for the deponent's knowledge and for the foregoing charges are, in part, as follows:

1. I am Court Liaison, assigned to the Provost Marshal Office, at the United States Military Academy, West Point, New York, which is located in the Southern District of New York.
2. On or about August 14, 2018, SPC Massie was conducting random anti-terrorism measure searches at Stoney Gate, when a Black Hyundai Accent, being driven by the defendant, was selected for a vehicle search. SPC Massie checked on the defendant's driver's license, and discovered that his driver's license had three separate and active suspensions.
3. The defendant was issued a District Court Violation Notice for operating a motor vehicle while license suspended or revoked (DCVN number 7554251/SY10) and was released on his own recognizance.

**WHEREFORE**, deponent prays that the above-named defendant be imprisoned or bailed, as the case may be.



MATTHEW PROUT  
Court Liaison

Sworn to before me this  
21st day of September, 2018



HONORABLE MARTIN R. GOLDBERG  
United States Magistrate Judge  
Southern District of New York